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March 22, 2007

**BY ECF**

Hon. Brian M. Cogan  
United States District Judge  
United States District Court  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Antowine Butts v. The City of New York, et al.*  
01 Civ. 2945 (BMC)

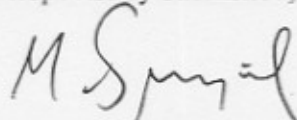
Dear Judge Cogan:

I write concerning the filing under seal of Plaintiff's Opposition to Defendants' Motion for Summary Judgment, including the Memorandum of Law, the Rule 56.1 Statement, and the Declaration of Michael L. Spiegel (collectively, the "Brief").

The Brief includes portions of, and discusses, the King County grand jury testimony which produced the indictment of plaintiff. Evidence concerning other individuals was also presented to the grand jury, but the grand jury did not indict them. In addition to referencing the grand jury testimony, the Brief mentions these individuals.

When Magistrate Judge Levy released the grand jury transcript to the parties, it was under a strict protective order. It has also been defendants' request that all references to the grand jury proceeding be filed under seal. Therefore, plaintiff has filed the Brief under seal.

Respectfully submitted,



Michael L. Spiegel [MS0856]

cc: Hillary Frommer, Esq., Ass't Corp. Counsel  
Bruce A. Barket, Esq.